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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In the matter of:
Andrew A. Miller

Case No. BK-11-14058-BAM
Chapter 13

Debtor(s).

Date: August 25, 2011
Time: 2:30 p.m.
Trustee: Kathleen A. Leavitt

**APPLICATION FOR COMPENSATION OF ATTORNEY FEES
AND REIMBURSEMENT OF EXPENSES**

1. INCORPORATION OF CHAPTER 13 GUIDELINES.

This application incorporates the Chapter 13 Guidelines for attorney's fees and reimbursement of expenses.

2. APPLICANT'S REPRESENTATIONS.

The undersigned applicant hereby represents:

- (a) that all stated services have been satisfactorily performed and requested attorney fees and expenses earned;
- (b) that this application seeks only fees and expenses for services rendered in addition to basic services and expenses;
- (c) that the fees and expenses sought in this application will not be shared with any other entity;
- (d) that unless otherwise explained, Debtors' Chapter 13 Plan is viable and approval of this application will not render the plan unviable or

- 1 have a substantial affect on the distribution to general unsecured
 2 creditors; and
 3 (e) that, unless otherwise explained below, applicant reasonably
 4 believes that this is a final application for fees and expenses
 5 except for any presently unanticipated legal services which may
 6 later be reasonably required.

7 **3. COMPENSATION AND EXPENSES SOUGHT IN THIS APPLICATION:**

8 This application seeks approval of additional compensation in the amount
 9 of \$1461.00 and reimbursement of expenses in the amount of \$ 38.26 as detailed
 10 below in the **Affidavit of Attorney in Support of Application For Compensation of
 Attorney and Reimbursement of Expenses**. This additional compensation
 11 represents legal services to strip a lien from one parcel of real property belonging to
 12 Debtors.

13 **4. NARRATIVE DESCRIPTION OF COMPENSATION SOUGHT IN THIS
 APPLICATION:**

14 This Application seeks compensation and expenses for the following:

- 15 (XXX) Motion to Strip Unsecured Lien/Order #1
 16 () Motion for Valuation of property/vehicle
 17 () Motion to Modify Plan
 18 () Motion/Opposition to Motion to lift stay
 19 () Motion/Opposition to Motion to dismiss

20 **5. TOTAL FEES AND EXPENSES:**

21 The total fees and expenses for post-confirmation services by CROSBY &
 22 ASSOCIATES sought in this case are as follows:

<u>Fees for Attorney Time:</u>	\$ 1,461.00
<u>Expenses incurred:</u>	\$ 38.26
 <u>Additional Fees or Expenses Approved by Court</u>	 \$ 0.00
(1) Order Dated _____	

Total Fees Requested	\$ 1,499.26

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2
3 **6. PAID BY DEBTOR:**

4 The Debtor(s) have paid directly to attorney for Debtor(s) the sum of \$1,200.00
5 for attorney's fees and costs with a balance owing of \$ **3,300.00** The Chapter 13
6 Trustee has paid or will pay all fees and expenses previously ordered by the Court plus
7 fees approved in this application.

8 The fees sought will not decrease any distribution to creditors, although it may
9 temporarily suspend payment to creditors. Applicant further respectfully requests that
10 fees and costs awarded through this application be paid as an administrative priority
11 claim, that the trustee commence disbursements of the awarded fees immediately upon
12 entry of an Order awarding fees and costs to applicant, and that the trustee continue
13 disbursements until such award of fees and costs is paid in full.

14 It is the belief of Debtor and Attorney that approval of this fee application will not
15 cause the plan to be unviable. If however, it does appear that approval of this fee
16 application will cause the plan to be unviable, Debtor will submit, with the Order granting
17 this application, an amended plan which will ensure proper distribution to creditors and
18 allow for these requested fees.

19 The fees applied for in this Fee Application are based on services which were
20 necessary to the administration of, or beneficial towards the completion of, the instant
21 chapter 13 case at the time they were rendered; were performed within a reasonable
22 time commensurate with the complexity, importance, and nature of the problem, issue,
23 or task addressed; and are reasonable based on the customary compensation charged
24 by comparably skilled practitioners in non-bankruptcy cases according to the U.S.
25 Trustee Guidelines and 11 U.S.C. §330(a)(3).

26 Debtor further requests that LR 9021 be waived in the instant matter.

27 DATED this 21st day of July, 2011.

28 CROSBY & ASSOCIATES

/s/ Troy S. Fox
DAVID M. CROSBY, ESQ.
Nevada Bar No. 003499
Troy S. Fox
Nevada Bar No. 11127
711 S. 8th St.
Las Vegas, Nevada 89101
Attorneys for Debtor

**AFFIDAVIT OF ATTORNEY IN SUPPORT OF APPLICATION
FOR COMPENSATION OF ATTORNEY AND REIMBURSEMENT OF EXPENSES**

STATE OF NEVADA }
COUNTY OF CLARK } ss:

Troy S. Fox, being first duly sworn on oath, deposes and says:

1. I am an attorney duly licensed in the State of Nevada, am authorized to practice before this Court and am legal counsel of record for the Debtor(s) herein.

2. This application is seeking appropriate fees and costs for services provided beyond the basic bankruptcy services. The work, as more fully outlined below, was actually performed by this office:

Conference w/ client to discuss feasibility of lien strip and to review documents required for same.

Conference with Client to review real property appraisal, loan statements for each loan and deed to property to determine ability to strip lien	1.0	\$270
Research proofs of claim, requests for special notice and other sources for appropriate contact information for all interested parties	.5	\$75
Determine appropriate date for hearing from bankruptcy court	.1	\$15
Prepare draft of Motion to Value Debtor's Principal Residence and Avoid Wholly Unsecured Lien	.5	\$75
Attorney review draft of Motion to Value Debtor's Principal Residence and Avoid Wholly Unsecured Lien	.2	\$54
Prepare Notice of Motion to Value Debtor's Non-Principal Residence, coordinate service by certified and regular mail, and provide Notice to all appropriate parties	.3	\$45
Attorney review Final Motion and Notice and sign	.2	\$54
Review file in preparation for court hearing on Motion and as necessary resolve any matter with interested creditors prior to hearing	.5	\$135
Court Appearance	1.0	\$270

1	Prepare draft of order consistent with bench ruling in case at hearing on Motion.	.5	\$75
2	Attorney review draft of order	.2	\$54
3			
4	Prepare final order	.5	\$75
5	Review order and sign	.2	\$54
6	Review order signed by judge and prepare Notice of Entry of Order and coordinate service of the same on all parties	.5	\$75
7	Prepare Application for Compensation; Notice of Hearing w/ Certificate of Mail; Proposed Order	.7	\$112.50
8	Court Appearance	.1	\$22.50
9	TOTAL FOR SERVICES		\$1461.00
10			
11	Copies .10 per page	196	\$ 19.60
12	Postage .44 e/a	16	\$ 7.04
13	Certified mail \$ 5.81 per address	2	\$ 11.62
14	TOTAL FOR EXPENSES		\$ 38.26

3. Fees charged for legal services are as follows:

Attorney \$ 270 per hour
David M. Crosby (25 plus years licensed attorney)
Troy S. Fox, Esq. (3 year licensed attorney)

Paralegal \$ 150 per hour
Cindy L. Kangas, Legal Assistant (25 years bankruptcy experience)

4. I performed the above-referenced services for a total fee of **\$1461.00**.

5. Additionally, I incurred actual and necessary expenses in the sum of \$38.26.

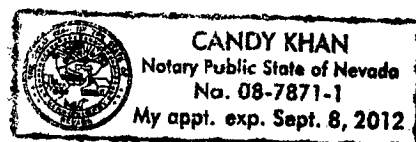
6. I declare the following under penalty of perjury.

Further Affiant sayeth naught.

Troy S. Fox, Esq.

SUBSCRIBED and SWORN to before me this 20th day of July, 2011.

NOTARY PUBLIC in and for County of Clark, State of Nevada



David M. Crosby, Esq.
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Attorneys for Debtor(s)

UNITED STATES BANKRUPTCY COURT
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In the matter of:
Andrew A. Miller

Debtor(s).

Case No. BK-11-14058-BAM
Chapter 13

Date: August 25, 2011
Time: 2:30 p.m.
Trustee: Kathleen A. Leavitt

**ORDER GRANTING APPLICATION FOR COMPENSATION OF ATTORNEY FEES
AND REIMBURSEMENT OF EXPENSES**

This matter having come on for hearing on the 25th day of August, 2011, the Court noting that proper notice was given on the **Application for Compensation of Attorney Fees and Reimbursement of Expenses**, and based upon the papers and pleadings on file herein, the Application, the oral arguments of Counsel, and good cause appearing:

THIS COURT HEREBY ORDERS as follows:

The **Application for Compensation of Attorney Fees and Reimbursement of Expenses** is hereby APPROVED;

IT IS FURTHER ORDERED that the Trustee is authorized to pay from the above-captioned bankruptcy estate, attorney's fees for professional services rendered by Debtor's Counsel as outlined in the Application, in the amount of \$1,461.00 for Attorney's Fees and \$38.26 in Expenses for a Total Amount of \$1,499.26;


IT IS FURTHER ORDERED that the above-referenced Fees and Expenses are to be paid to the law firm of CROSBY & ASSOCIATES, 711 South Eighth Street, Las Vegas, Nevada 89101;

IT IS FURTHER ORDERED that the Fees and Expenses shall disburse only upon Confirmation, Conversion or Dismissal of this case;

IT IS SO ORDERED.

Submitted By:

CROSBY & ASSOCIATES



David M. Crosby, Esq.
Nevada Bar #3499
Troy S. Fox, Esq.
Nevada Bar #11127
CROSBY & ASSOCIATES
711 South Eighth Street
Las Vegas, Nevada 89101
Attorneys for Debtor(s)

Approved/Disapproved

Kathleen A. Leavitt
Chapter 13